

Burn Ban



Fire Officials may prohibit any or all bonfires and other permitted fires when atmospheric conditions or local circumstances make such fires hazardous. *Arkansas Fire Prevention Code, Volume 1, Chapter 5, 501.1.4*

A Burn Ban (ban on all burning) may be ordered when local circumstances and/or atmospheric conditions make fires a hazard to the health and safety of citizens and their property. The County Judge may declare a county-wide ban or a District Fire Chief may issue a ban for a specific fire district. Burning during either ban would constitute a violation of *Benton County Ordinance No. 0-91-16*. Penalties for violating the burn ban are set forth in said Ordinance under *Article II*.

**Contact CenCom for information
on current
Benton County burn bans at:
1-866-207-5140
or
479-273-5530**

Automotive and Other Tires

No person shall cause or permit the open burning of tires in the State of Arkansas.
*Arkansas Waste Tire Program,
Regulation 14, Section 9, Paragraph 6*



COMPOSTING

BENTONVILLE RESIDENTS ONLY

Bentonville Composting Facility
2000 NW A Street
(479) 271-5954

ROGERS RESIDENTS ONLY

Rogers Recycling Center
2300 N Arkansas Street
(479) 621-1185

State of Arkansas and Benton County Burning Regulations



Current as of November 17, 2006

**Contact CenCom
before you burn
permitted items**

273-5530

Toll free:
866-207-5140



This information provided by:

Benton County Environmental
Enforcement Office
905 NW 8th Street
Bentonville, AR 72712
(479) 271-1083

The *Arkansas State Air Pollution Control Regulations* do not apply to the following activities:

- Fires used for the non-commercial cooking of food for recreational purposes, including barbecues and outdoor fireplaces in connection with any residences. *Section 19.6(c)(1)* Note: Specifically this means only natural firewood, charcoal briquettes, propane and/or natural gas.
- Open burning related to land clearing and agricultural activities. *Section 18.6(c)(2)*;
- Fires set or authorized by any public officer, board, council, or commission for the purposes of providing instruction in methods of fire fighting. *Section 18.6(c)(7)* must conduct an Asbestos survey per A.D.E.Q.;
- Open fires used at construction sites only for the purpose of warming persons on the site during cold weather. Such fires shall be fueled by only untreated wood or wood products and must be confined within a container made of nonflammable material that does not exceed thirty (30) inches in width and length, unless prohibited by other local codes or ordinances. *Action 259, Section 1(8)*.

Arkansas State Air Pollution Control Regulations

Section 18.6(b) prohibits the open burning of waste materials*.

Specifically, it states that:
“No person shall cause or permit the open burning of refuse, garbage, trade waste, or other waste material, or shall conduct a salvage operation by open burning.”

*** Household trash, construction and demolition waste (including lumber and/or wood) is considered a waste material and cannot be burned according to State Law.**

Permitted Open Burning of Yard Waste

It is the policy of the State of Arkansas that the open burning of residential yard waste is permissible unless restricted by local ordinances. However, it is to be discouraged and alternative methods of yard waste disposal developed and made readily available to all citizens.

The open burning of anything not specifically excepted as previously mentioned is considered a violation of State Law. Persons desiring to open burn any permitted materials must notify Benton County Central Dispatch (CenCom), **1-866-207-5140 or 479-273-5530** before burning.

Act 1151, Section 3(d) states that “Nothing in this act shall be construed as impairing the authority of local fire control officials to abate fire hazards though whatever regulator mechanisms deemed necessary and appropriate.” Interpretation of this law suggests that a local fire official can require a permit for burning leaves, agricultural clearings and warming fires that may occur in their specific fire district.

ORDINANCE TO ALLOW BURNING OF CERTAIN STRUCTURES

County Ordinance *O-2009-19* provides a process for citizens to obtain authorization to burn dilapidated structures on their own property. The person desiring to burn a structure obtains a \$25.00 permit from the Benton County Fire Marshal. The property is inspected by the Fire Marshal before and after the structure is burned. Violations of *O-2009-19* are subject to \$500 fine as well as prosecution by the Benton County Prosecuting Attorney or action by ADEQ.